

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

Hon. Guy Reschenthaler, a member of the
U.S. House of Representatives, *et al.*,

Plaintiffs,

v.

Al Schmidt, in his official capacity
as Secretary of the Commonwealth, *et al.*,

Defendants.

Case No. 1:24-cv-1671-CCC

Hon. Christopher C. Conner

**MOTION FOR LEAVE TO FILE BRIEF OF *AMICI CURIAE* MICHIGAN
FAIR ELECTIONS INSTITUTE AND WISCONSIN VOTER ALLIANCE IN
OPPOSITION TO DEFENDANTS’ MOTION TO DISMISS AND IN
SUPPORT OF PLAINTIFFS’ MOTION FOR TEMPORARY
RESTRAINING ORDER OR PRELIMINARY INJUNCTION**

Amici Curiae Michigan Fair Elections Institute and Wisconsin Voter Alliance (collectively, “*Amici*”) hereby move for leave to file a brief as *amici curiae* in opposition to Defendants’ Motion to Dismiss the Amended Complaint and in support of Plaintiffs’ Motion for a Temporary Restraining Order or Preliminary Injunction. *Amici*’s proposed brief is attached hereto as Exhibit A.

A district court has broad discretion to permit an *amicus curiae* to participate in a pending action. *Waste Mgmt., Inc. v. City of York*, 162 F.R.D. 34, 36 (M.D. Pa. 1995) (“The extent, if any, to which an *amicus curiae* should be permitted to participate in a pending action is solely within the broad discretion of the district

court.”). In exercising its broad discretion, this Court has apparently recognized the value of having multiple voices heard on the important issues presented in this case as the Court has already permitted numerous *amicus curiae* to participate. (See, e.g., Doc. Nos. 57 & 82 [granting motions for leave to file *amicus curiae* briefs]).

Here, *Amici* represent the voice of organizations that understand the importance and value of election procedures that require verification of identity and eligibility for individuals who seek to vote in a federal election. Accordingly, *Amici* support efforts to ensure legal compliance with federal and state law regarding the verification of voter registration applicants’ identity and eligibility before accepting and counting ballots from UOCAVA¹ applicants in the Commonwealth of Pennsylvania. In other words, *Amici* support Plaintiffs’ efforts in this case to protect procedures that ensure fair and honest elections. Contrary to the arguments and suggestions of some *amici* in this case, election fraud is not an “illusory” problem. It is a real threat to our constitutional republic.

In a *national* election, such as the upcoming 2024 general election, procedures to protect voter integrity in each state are essential to protect the vote of all American citizens. And this is particularly critical and true in the all-important swing states, which include Michigan, Wisconsin, and Pennsylvania.

¹ Uniformed and Overseas Citizen Absentee Voting Act.

The attached “brief will assist the [Court] by presenting ideas, arguments, theories, insights, facts, or data that are not to be found in the parties’ briefs.” *Voices for Choices v. Ill. Bell Tel. Co.*, 339 F.3d 542, 545 (7th Cir. 2003). Accordingly, *Amici* request that the Court exercise its broad discretion and grant this motion.

WHEREFORE, *Amici* request that this Court grant their Motion for Leave to File Brief of *Amici Curiae*.

Respectfully submitted,

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/s/ Andrea L. Shaw

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CERTIFICATES

I, Andrea Shaw, hereby certify that a copy of this motion has been served on all counsel of record using the Court's CM/ECF system.

Pursuant to Local Rule 7.1, I further certify that on October 28, 2024, an email was sent to all counsel for Plaintiffs, Defendants, and Intervenor-Defendants, seeking consent to file the accompanying brief of *Amici Curiae*. Plaintiffs' counsel have consented. However, as of this filing, counsel for Defendants and Intervenor-Defendants have not responded to the request.

LAW OFFICE OF ANDREW H. SHAW. P.C.

/s/ Andrea L. Shaw

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